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**Listing of Claims**

The following listing of claims will replace all prior versions, and listings, of claims in the subject application:

1. (original) A facsimile apparatus that is connected to a network and has an ITU-T recommendation T.37 full-mode function for facsimile transmission of an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the facsimile apparatus comprising:

a destination information memory that stores one of reception capacity information of a selected transmission destination and reception capacity information of the selected transmission destination contained in delivery confirmation mail sent from the selected transmission destination, the reception capacity information being associated with the mail address of the selected transmission destination;

a transmission mode memory that stores the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request; and

a controller that causes the transmission mode memory to store the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request, causes the destination information memory to store reception capacity information contained in the delivery confirmation mail sent from the selected transmission destination, the reception capacity information being stored as the reception capacity information of the selected transmission destination, and causes the destination information memory to store the transmission mode, already stored in the transmission mode memory, as a transmission enabling mode of the

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selected transmission destination when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed.

2. (original) The facsimile apparatus as claimed in claim 1, wherein the controller causes the destination information memory to store the transmission mode, which has already been stored in the transmission mode memory, as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail sent from the selected transmission destination does not contain the reception capacity information but confirms that the communication failed.

3. (original) The facsimile apparatus as claimed in claim 1, further comprising:  
an image memory that stores image files for transmission; wherein  
when an image file that has been processed by the image processor using parameters different from default parameters is facsimile-transmitted at least together with the delivery confirmation request, the controller keeps the image file in the image memory until the delivery confirmation mail is sent from the selected transmission destination, and

when delivery confirmation mail is sent from the selected transmission destination reporting that the communication failed, the image processor converts the image file kept in the image memory into an image file corresponding to the default parameters, and the converted image file is facsimile-transmitted again to the selected transmission destination.

4. (original) A facsimile apparatus that is connected to a network and has an ITU-T

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recommendation T.37 full-mode function for facsimile-transmitting an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the facsimile apparatus comprising:

means for storing one of reception capacity information of a selected transmission destination and reception capacity information of the selected transmission destination contained in delivery confirmation mail sent from the selected transmission destination, the reception capacity information being associated with the mail address of the selected transmission destination;

means for storing the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request; and means for controlling the transmission mode storing means to store the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request, controlling the destination information storing means to store reception capacity information contained in the delivery confirmation mail sent from the selected transmission destination, the reception capacity information being stored as the reception capacity information of the selected transmission destination, and controlling the destination information storing means to store the transmission mode, already stored in the transmission mode storing means, as a transmission enabling mode of the selected transmission destination when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed.

5. (original) The facsimile apparatus as claimed in claim 4, wherein the controlling means causes the destination information storing means to store the transmission mode, which

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has already been stored in the transmission mode storing means, as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail sent from the selected transmission destination does not contain the reception capacity information but confirms that the communication failed.

6. (original) The facsimile apparatus as claimed in claim 4, further comprising:

means for storing image files for transmission; wherein

when an image file that has been processed by the image processor using parameters different from default parameters is facsimile-transmitted at least together with the delivery confirmation request, the controller keeps the image file in the image storing means until the delivery confirmation mail is sent from the selected transmission destination, and

when delivery confirmation mail is received from the selected transmission destination reporting that the communication failed, the image processor converts the image file kept in the image storing means into an image file corresponding to the default parameters, and the converted image file is facsimile-transmitted again to the selected transmission destination.

7. (original) A method of facsimile transmission using a facsimile apparatus that is connected to a network and has an ITU-T recommendation T.37 full-mode function for facsimile transmission of an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the method comprising the steps of:

storing one of reception capacity information of a selected transmission destination and

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reception capacity information of the selected transmission destination contained in delivery confirmation mail sent from the selected transmission destination, the reception capacity information being associated with the mail address of the selected transmission destination and being stored in a destination information memory;

storing the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request in a transmission mode memory;

controlling the destination information memory to store reception capacity information that is contained in the delivery confirmation mail sent from the selected transmission destination, the reception capacity information being stored as the reception capacity information of the selected transmission destination; and

controlling the destination information memory to store the transmission mode, already stored in the transmission mode memory, as a transmission enabling mode of the selected transmission destination, when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed.

8. (new): The method of facsimile transmission of claim 7, further comprising:

storing in the destination information memory information indicating the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request, as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail from the selected transmission destination does not contain the reception capacity information and confirms that the communication has failed.

9. (new): The method of facsimile transmission of claim 7, further comprising:

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storing in an image memory an image file processed using parameters different from default parameters, until said delivery confirmation mail is received from said selected transmission destination;

converting said image file kept in said image memory into a converted image file corresponding to said default parameters, if said delivery confirmation mail received from the selected transmission destination indicates that the communication failed; and

transmitting the converted image file to the selected transmission destination.

10. (new): The facsimile apparatus of claim 1, further comprising an image memory that stores image files for transmission, wherein the controller determines said transmission mode for said facsimile transmission, and when the transmission mode corresponds to a transmission enabling mode, regular transmission is carried out and the transmitted image file is deleted from the image memory.

11. (new): The facsimile apparatus of claim 1, wherein if the transmission mode stored in the destination information memory for the selected transmission destination is neither a transmission disabling mode nor a transmission enabling mode, said controller, prior to transmission, stores the image file in an image memory and attaches a delivery confirmation request to said image file for transmission.